

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
SPARTANBURG DIVISION**

GRAHAM BOSWELL,

Plaintiff,

v.

WOFFORD COLLEGE, CATHERINE RAND,
AND DAVID HOGSED

Defendants.

C.A. No. 7:23-cv-05467-JDA

**JOINT CONSENT MOTION TO AMEND THE THIRD AMENDED
SCHEDULING ORDER**

Defendants Wofford College (“Wofford”), David Hogsed (“Hogsed”), Catherine Rand (“Rand”), and Plaintiff Graham Boswell (“Plaintiff”) (collectively the “Parties”) move pursuant to Rule 6(b) of the Federal Rules of Civil Procedure for an extension of time of one hundred twenty (120) days for the remaining deadlines, or such time as the Court may deem just, in the Third Amended Scheduling Order dated August 26, 2024. (ECF No. 57.)

Counsel for the Parties met and conferred via conference call on December 13, 2024, regarding the discovery and other remaining deadlines in the Third Amended Scheduling Order and the Parties believe due to, *inter alia*, the factually intensive nature of the claims and counterclaims in this action that the Parties will need additional time to complete written discovery and depositions in this action, as well as schedule mediation and prepare any dispositive motions. The Parties have included a Proposed Fourth Amended Scheduling Order with this Motion.

To date, all Parties in this case have been diligently engaged in discovery, and have served written discovery requests on the other Parties, as well as responded and/or objected to written

discovery requests by the other Parties. Following such responses and objections, the Parties have exchanged correspondence regarding deficiencies identified in discovery responses and objections to written discovery requests. Because the Parties await responses to the deficiencies identified in such correspondence, and remain in the process of exchanging document discovery, the Parties have not yet taken depositions. Defendants had originally scheduled and noticed Plaintiff's deposition for November 11, 2024, upon confirmation from Plaintiff's Counsel that Plaintiff would be available for his deposition on that date. In addition, Defendant Rand was available and her deposition was scheduled for November 12, 2024.

On November 4, 2024, Plaintiff's Counsel reached out to Defendants Wofford's and Hogsed's Counsel, and Defendant Rand's Counsel, to request that Plaintiff's and Defendant Rand's upcoming depositions be rescheduled. Counsel for Defendants Wofford and Hogsed, as well as Counsel for Rand, did not oppose the request and agreed to the rescheduling of Plaintiff's and Defendant Rand's depositions.

Further, currently pending before the Court is Defendants Wofford's and Hogsed's Motion for Issuance of Subpoena for Plaintiff's Military Records. (ECF No. 62.) Defendants filed that Motion for the Court's signature prior to execution of the requested subpoena. *Id.* Plaintiff filed his response in opposition to Defendants' Motion on December 13, 2024 (ECF No. 67), and Defendants filed their Reply on December 20, 2024. (ECF No. 70.) The Parties agree that the Court should decide the Motion as it requests information from third parties that may be relevant to the claims and/or defenses in this case, prior to depositions and additional written discovery by the Parties in this case.

For the reasons described above, and due to the complexity of this case and the intricacies of the facts involved, the Parties respectfully request that the remaining deadlines in the Third Amended Scheduling Order be extended one hundred twenty days.

Respectfully submitted,

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December 30, 2024.